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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,784	11/15/2000	Ali Najib Saleh	CIS0009P3US	5218
33031	7590	05/27/2005	EXAMINER	
CAMPBELL STEPHENSON ASCOLESE, LLP			NGUYEN, HANH N	
4807 SPICEWOOD SPRINGS RD.			ART UNIT	
BLDG. 4, SUITE 201			PAPER NUMBER	
AUSTIN, TX 78759			2662	

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,784

Applicant(s)

SALEH ET AL.

Examiner

Hanh Nguyen

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-82 is/are pending in the application.
- 4a) Of the above claim(s) 44-69 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-27, 29-43 and 70-82 is/are rejected.
- 7) ☒ Claim(s) 16 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 10-14, 17-26, 29-37, 39-43, 70, 71, 73-76 and 78-82 are rejected under 35 USC 102(b) as being anticipated by Glider et al. (pat. 5,361,347).

In claims 1, 4, 5, 18, 19, 20, 26, 31, 34, 70 and 73, Glider et al. discloses a resource manager (fig.1A discloses processor 150, col.4, lines 7-10 & col.8, lines 25-30), a resource control block (resource control block 200, shown in fig.2, is included in memory 118, fig.1, see col.4, lines 14-20), wherein the resource control block corresponds to a system resource and maintains information such as available state of the resource (available state 203, fig.2 for claim 4) regarding the resource (the resource control block 200 contains information regarding a resource, see col.4, lines 8-17. The resource manager is configured to assign an identifier to the resource control block (the processor 150 contains information regarding where each resource control block in the system is located, each processor 150 maintains an RCB AddressTable 706 (fig.7) which lists RCBs 708, see col.8, lines 25-35).

In claims 3, 23, 32 and 71, Glider et al. discloses the resources 122A are node elements connected to each other (resource is a hardware element). See Abstract & col.4, lines 8-13.

In claims 2, 6, 7, 11, 20, 21, 22, 25, 33, 41, 43, 80 and 82, Glider et al. discloses, in Fig.2, the resource control block 200 comprises a resource type (see col.7, lines 1-10), unique

name of resource 201 (resource ID), state of resource 203 (status of resource). See col.4, lines 20-25. The unique name of resource 201 represents an index in a table of pointers indicating resource location in hierarchy (resource identifier serves as an index in table of pointers pointing to one of resource control block). See col.6, lines 65-70. The resources are arranged in levels, for example from parent resource to peer resource and child resource (resources arranged in hierarchy levels). See col.6, lines 58-70.

In claim 10, as explained in the rejection of claim 1, Glider et al. discloses a plurality of resource managers (processors 150 in each of resources 122A-122C, fig.1a). See col.4, lines 7-10 & col.8, lines 25-30

In claims 12 and 13, Glider et al. discloses the resource manager is a node and the resource control block is a node (see col.6, lines 57-65).

In claim 14, Glider et al. discloses each of processors 150 is separate controller (self resource manager) and each resource control block is included in a memory 118 (fig.1A) (self resource control block). See col.4, lines 14-20.

In claim 17, Glider et al. discloses the computer system represents interdependencies of the resources by organizing the resources in a logical structure in which each resource is a node connected to at least one other resource. This shows that each resource control block contains information from other resource control blocks. See Abstract & col.6, lines 38-45.

In claim 29, the limitations of this claim has been addressed in claim 1.

In claim 30, Glider et al. discloses, in Fig.7, the processor 150 (fig.1A) (resource manager) comprises system resource X 710 (maintain network resource). See col.8, lines 50-55.

In claims 35 and 74, Glider et al. discloses, in Fig.1B, each processor 116/150 is associated with a resource control block 200 in local memory 118/152 (creating a processor resource control block corresponding to said processor). See col.4, lines 10-20.

In claims 36, 37, 40, 75, 76 and 79, Glider et al. discloses the resource is initilized / power up(initialization / power up of resource), performed self diagnostic (perform a self test) to determine availability state (provide status information). See col.6, lines 45-50. The resource receive a request from an external computer (receiving command / alive message from processor), allocates the resource (execute the command). See col.10, lines 5-12.

In claims 42 and 81, the limitations of these claims have been addressed in claim 1.

In claims 39 and 78, Glider et al. discloses the computer system operates in both operting system and fault management method (a protocol is employed with the resource). See col.3, lines 23-30.

Allowable Subject Matter

Claims 16, 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In claim 16, the prior art does not disclose each one of third resource manager is a line card resource manager; and each one of third resource control block is a line card resource control block.

In claim 28, the prior art does not disclose each resource processor of said first plurality of resources configured to run a corresponding one of said first plurality of resource managers;

and said each resource processor of said first plurality of resources is configured to maintain a one of said second plurality of resource control blocks corresponding to said at least one of said second plurality of resources in response to communications with said at least one of said second plurality of resources.

Response to Arguments

Applicant's arguments with respect to claims 1-7, 10-15, 17-27, 29-43 and 70-82 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The examiner can normally be reached on Monday-Friday from 8AM to 4:30PM. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'HNguyen'.

HANH NGUYEN
PRIMARY EXAMINER